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Counsel for Defendant
 Jesus Munoz Diaz

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. CR-09- 08JW
)	
Plaintiff,)	
)	PARTIES' STIPULATION AND
vs.)	XXXXXXXXXXXXX ORDER CONTINUING
)	STATUS DATE (Hon. James Ware)
JESUS MUNOZ DIAZ aka)	
GUADALUPE HERNANDEZ-DIAZ,)	
)	
Defendant.)	

The parties stipulate and agree, and the Court finds and holds as follows:

1. Defendant Jesus Munoz Diaz aka Guadalupe Hernandez-Diaz last appeared before this court on March 23, 2009 for status. The matter was continued until April 13, 2009 for status and for hearing on defendant's motion to dismiss.

2. Defense counsel requires additional time to review recently acquired transcripts and consult with former counsel for Mr. Jesus Munoz Diaz and prepare the motion to dismiss.

3. Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing date in the above-captioned matter, presently scheduled on Monday, April 13, 2009 is to be continued to Monday, May 4, 2009, at 1:30 p.m. The continuance is necessary for defense counsel's preparation and for defense continuity of counsel.

1 4. The parties further agree and stipulate that time should be excluded from and including
2 Monday, April 13, 2009 through and including Monday, May 4, 2009, to provide defense counsel
3 reasonable time to prepare, pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and
4 (B)(iv);. Accordingly, the United States and the defendant agree that granting the requested
5 exclusion of time will serve the interest of justice and out weigh the interest of the public and the
6 defendants in a speedy trial.

7
8 Dated: March 26, 2009

Respectfully submitted,

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10 /s/
11 Alfredo M. Morales, Esq.
12 Attorney for Defendant

13 Dated: March 26, 2009

14 /s/
15 Laura M. Durity, Esq.
16 Assistant United States Attorney

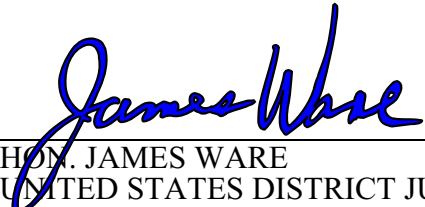
17 ORDER

18 Based upon the stipulation of the parties, and good cause shown, the Court HEREBY
19 ORDERS that the hearing date presently set for Monday April 13, 2009, will be continued to
20 Monday, May 4, 2009, at 1:30 p.m.

21 IT IS FURTHER ORDERED that the time between April 13, 2009 through and including
22 May 4, 2009, shall be excluded as the reasonable time necessary for effective defense preparation
23 pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

24 IT IS SO ORDERED.

25 DATED: April 1, 2009

26 
27 HON. JAMES WARE
28 UNITED STATES DISTRICT JUDGE